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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Zvi FELDMAN, *et al.*

Application No.: 09/991,870

Filing Date: November 26, 2001

For: COMPUTER-CONTROLLED MILLING  
MACHINE FOR PRODUCING LENSES FOR  
CLIP-ON ACCESSORY

Group Art Unit: 3722

Examiner: E. Cadugan

Commissioner for Patents  
Washington, D.C. 20231

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**  
**PURSUANT TO 37 C.F.R. § 1.104(e)**

Sir:

In response to the Statement of Reasons for Allowance in paragraph 3 of the Examiner's Amendment and Notice of Allowability dated May 2, 2003 and issued May 5, 2003, Applicants submit the following comments.

Paragraph 3 of the Examiner's Amendment is the Examiner's Statement of Reasons for Allowance. The Examiner states, "U.S. Patent No. 3,587,390 (Lohneis et al.) is representative of the closest prior art of record to the presently-claimed invention. . . . However, Lohneis does not teach the claimed 'means adapted for maintaining the worktable in a set position' as set forth in the present specification . . . Additionally, there is no teaching of such a 'means adapted for maintaining the worktable in a set position' in the prior art of record to combine with Lohneis to arrive at the invention as set forth in independent claims 6 and 18."

Applicants believe that the Statement of Reasons for Allowance in this case is improper because Lohneis, while characterized as the "closest prior art of record" does not disclose a machine for shaping a blank to create a filter lens, which includes a drill bit unit provided with a rotatable drill bit as claimed in the present application. While Applicants believe that all of the claims are allowable and patentably distinguish over the art of record, Applicants do not acquiesce that patentability resides only in each of the listed features (exactly as expressed in the claims), nor that each and every feature is required for patentability.

**EXCEPT** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

Dated: August 5, 2003  
**MORGAN, LEWIS & BOCKIUS LLP**  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,870	11/26/2001	Zvi Feldman	053332-5002	3265

TITLE OF INVENTION: COMPUTER-CONTROLLED MILLING MACHINE FOR PRODUCING LENSES FOR CLIP-ON ACCESSORY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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EXAMINER	ART UNIT	CLASS-SUBCLASS
CADUGAN, ERICA E	3722	029-02600A

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